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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,364	12/19/2000	Matthew R. Curreri	MATP-600US	4950

23122 7590 11/16/2005

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EXAMINER	
BELIVEAU, SCOTT E	
ART UNIT	**PAPER NUMBER**
2614	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/740,364	CURRERI, MATTHEW R.	
	Examiner	Art Unit	
	Scott Beliveau	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 October 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 3-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection presented with the previous combination of references.

With respect to applicant's arguments that the combined references fail to teach the limitation pertaining to removal means for simultaneously removing bookmarks responsive to a user command, the examiner respectfully disagrees. In particular, the Bedard reference discloses that a user command is necessary to establish a bookmark (Col 3, Line 54 – Col 4, Line 21). Accordingly, the removal means is "responsive to a user command" given that no bookmarks can be removed if none have been established in the first place by the user.

With respect to applicant's argument such that the combined Agasse, Harms et al., and Bedard references fail to disclose that the "status information comprises bookmarked channel information and favorite channel information, separate from the bookmarked channel information", the examiner respectfully disagrees. As noted, the user of the instant application may configure the matrix to be grouped to display favorite channels and to further display only bookmarked channels. The combination of Agasse and Bedard equates favorite and bookmarked channels, such that the particular display of only favorite channels with Agasse also serves to display only bookmarked channels. While favorite channels and bookmarked channels may be considered distinctive within the instant application, the claims do not capture such. In particular, the specification is not limiting with respect to what "bookmarked channel information" and "favorite channel information" necessarily entail

only that the information is "separate". As illustrated in Figure 5 of Agasse and as relied upon in the grounds of rejection, the status section is considered met by element "84". The status information, in light of the combined references, comprises information for both bookmarked and favorite channels, given that both bookmarked and favorite channels are displayed within the matrix. Given that the "channel status section" comprises two separate pieces of information, namely, the time of a television program and the title of a given television program associated with the channel, the claim limitation is considered met as containing "favorite channel information" (ex. program title) and "bookmarked channel information" (ex. program duration).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 3-7, 11-17, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agasse (WO 00/05887), in view of Harms et al. (US Pat No. 6,057,831), and in further view of Bedard (US Pat No. 5,805,235).

In consideration of claim 1, the Agasse reference, as illustrated in conjunction with Figures 4-7 illustrates a "display interface having a group of channels for tuning a television receiver" [80]. As the limitation pertaining the "channel matrix", the "display interface" [80] includes a "channel matrix having n columns and m rows for displaying a plurality of

definable channels indicators for at most n x m channels, where n and m are positive integers greater than 2, each definable channel indicator corresponding to a respectively different position in the matrix, wherein the channel matrix including entries for both available and unavailable channels for one group of channels among a plurality of channel groups," (Agasse: Page 1, Lines 19-27; Page 22, Lines 18-30; Page 23, Lines 19-24; Page 25, Lines 11-19).

With respect to the limitation that the "channel matrix including entries for both available and unavailable channels", the instant application discloses that unavailable channels may comprise those which are blocked due to parental control features (IA: Page 8, Lines 27-30). However, the claims do not particularly limit what an unavailable channel means. Accordingly, Agasse reference meets the limitation of "channel matrix including both available and unavailable channels" wherein unavailable channels are those channels for which the user does not have access rights either by virtue of the program being blocked due to it being of an adult nature or blocked because the user has not purchased the program rendering the channel unavailable for subsequent access (Agasse: Page 25, Lines 12-18).

The "display interface" [80] of Agasse further comprises a "channel group indicator configured to be activated to switch the channel matrix among the groups of channels to select a current group of channels" such that the selection of the left navigation arrow switches to a new group or mosaic of 20 programs of the 60 or more available channels (Agasse: Page 23, Lines 9-17). The "channel group indicator" of Agasse, however, does not "display another channel indicator of a base channel for the current group of channels" as claimed. In an analogous art pertaining to the navigation of channels within a satellite

distribution system, the Harm et al. reference discloses a "channel group indicator" [810] that is "configured to be activated to switch . . . among groups of channels to select a current group of channels and to display another channel indicator of a base channel for the current group of channels" [814] such that the "base channel" corresponds to the first channel on which the display group is based (Harm et al.: Col 11, Lines 38-54). Accordingly, it would have obvious to one having ordinary skill in the art at the invention was made so as to modify the Aggasse "channel group selector" using the teachings of Harm et al. for the purpose of providing an efficient means for navigating through large numbers of channels offered through satellite television (Harm et al.: Col 2, Lines 15-36).

The "display interface" [80] of Agasse further comprises a "cursor configured to be moved to positions along the rows and columns of the matrix" [83] that further serves as a "channel selector which selects and tunes the channel corresponding to the definable channel indicator at the position of the cursor on the matrix" (Agasse: Page 22, Line 31 – Page 23, Line 7), and a "channel status section" [84] separate from the "channel matrix" that "displays status information of . . . a television channel corresponding to the channel indicator at the position of the cursor on the matrix" (Agasse: Page 8, Lines 26-32; Page 23, Lines 1-4). The Agasse reference, however, does not disclose the particular limitations pertaining to the usage of "bookmarking".

With respect to the limitation that the "channel status section . . . displays status information . . . comprising bookmarked channel information", Agasse discloses that the "channel status section" [4] may comprise information regarding the program (Agasse: Page 30, Lines 30-32), but it does not particularly disclose nor preclude the nature of this

information. The claims are not limiting with respect to what "bookmarked channel information" need comprise such that it is necessarily different from the status information displayed for other channels. However, the reference suggests that it is operable to facilitate the designation of favorite channels (Agasse: Page 32, Lines 6-17). The Bedard reference discloses a method for the bookmarking of channels/programs which allows viewers to create lists of favorites to quickly return to at a later time (Bedard: Col 3, Line 64 – Col 4, Line 9). As illustrated in Figure 3B, channels are "highlighted to indicate that corresponding channels are bookmarked" and the reference provides "removal means, responsive to a user command" associated with the processor of the receiver [21] for "simultaneously removing multiple bookmarks corresponding to highlighted channel indicators" (Bedard: Col 3, Line 64 - Col 4, Line 21) for the situation wherein multiple bookmarks are established via user command and all of the bookmarks correspond to programs that subsequently end at the same time. Accordingly, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the Agasse system so as to enable the bookmarking of channels/programs as taught by Bedard for the purpose of providing a means by which a viewer may quickly locate a program/channel of interest (Bedard: Col 1, Lines 33-45). Furthermore, it would have been obvious to one having ordinary skill in the art at the time the invention was made in view of the combined teachings so as to display the "highlighted information" [30/31] in conjunction with the sub-pictures of the matrix display of Agasse for the purposes of enabling the user to quickly ascertain when viewing a matrix display comprising images from multiple channels those programs/channels that are currently available and having been designated of interest.

Accordingly, in view of the combined references, the Agasse system is operable to display "status information comprising bookmarked channel information" wherein the bookmarked channel information comprises information pertaining to the time and title of the program being broadcast", the "respective channel indicators on said channel matrix are highlighted to indicate that corresponding channels are bookmarked", and the bookmarks are simultaneously removed for the situation wherein only channels/programs which end at the same time have been bookmarked.

In consideration of claim 3, the Bedard reference also discloses that the image associated with a particular channel is "highlighted to indicate if a corresponding channel is bookmarked" wherein the "highlighting comprises . . . displaying symbols" [30/31].

Claims 4 and 5 are rejected wherein "ones of the bookmarked channels have at least one predetermined property" wherein that property "depends, at least in part, on information about the channels contained in an electronic program guide and the bookmarking of channels is modified at times corresponding to times at which changes in the property are to occur as described in the electronic program guide". For example, the Bedard reference discloses that the bookmarking may be dependent upon a "predetermined property" such as being associated with a particular program. The bookmark of a particular channel subsequently depends on the EPG data indicating that the particular program is being broadcast (Bedard: Col 4, Lines 10-21).

Claim 6 is rejected wherein the Bedard system comprises a "remote control device" [10] further comprising "at least one bookmark key for designating a selected channel as bookmarked or not bookmarked" [24] (Col 4, Lines 10-35).

In consideration of claim 7, the Agasse reference discloses the use of a "remote control device" [29] including "at least one of each of a 'browse previous' and a 'browse next' key for displaying, relative to a selected channel number, a next lower channel number bookmarked channel and a next higher channel number bookmarked channel, respectively" [42] (Page 21, Lines 13-15; Page 23, Lines 1-7). The claim does not explicitly require that the particular navigation need directly between "bookmarked channels" thereby skipping the navigation between any intervening non-bookmarked channels. Alternatively, the Bedard reference discloses that the "remote control device" [10] comprises including "at least one of each of a 'browse previous' and a 'browse next' key for displaying, relative to a selected channel number, a next lower channel number bookmarked channel and a next higher channel number bookmarked channel, respectively" [27] (Bedard: Col 4, Lines 42-51).

In consideration of claim 11, as previously set forth in the rejection of claim 1, the Agasse reference, as illustrated in conjunction with Figures 4-7 illustrates a "user interface" for "displaying" [80] a "channel matrix having n columns and m rows including entries for both available and unavailable channels for one group of channels among a plurality of channel groups," (Page 1, Lines 19-27; Page 22, Lines 18-30; Page 23, Lines 19-24; Page 25, Lines 11-19) and a "channel group indicator configured to be activated to switch the channel matrix among the groups of channels to select a current group of channels" such that the selection of the left navigation arrow switches to a new group or mosaic of 20 programs of the 60 or more available channels (Agasse: Page 23, Lines 9-17).

With respect to the limitation pertaining to the "channel group indicator", while the "display interface" [80] of Agasse further comprises a "channel group indicator" in the form

of a navigation arrow such does not particularly "display a channel indictor of a base channel for the current group of channels". In an analogous art pertaining to the navigation of channels within a satellite distribution system, the Harm et al. reference discloses a "channel group indicator" [810] that is "configured to be activated to switch . . . among groups of channels to select a current group of channels and to display another channel indicator of a base channel in the current group of channels" [814] such that the "base channel" corresponds to the first channel on which the display group is based (Col 11, Lines 38-54). Accordingly, it would have obvious to one having ordinary skill in the art at the invention was made so as to modify the Aggasse "channel group selector" using the teachings of Harm et al. for the purpose of providing an efficient means for navigating through large numbers of channels offered through satellite television (Harm et al.: Col 2, Lines 15-36).

With respect to the limitations pertaining to "bookmarking channels", while disclosing the ability to designate favorite channels, the Agasse reference does not explicitly disclose nor preclude a method for bookmarking channels and subsequently highlighting the indicators corresponding to those channels. The Bedard reference discloses a method for the bookmarking of channels such that "responsive to a user command" a user is operable to "modify a bookmark status of a corresponding channel" thereby "adding or removing a bookmark" in conjunction with navigating between channels (Col 4, Lines 10-35). "Multiple ookmarks" may further be "simultaneously removed" "responsive to a user command" associated with the aforementioned establishment of the bookmarks should the user only create temporary bookmarks (Bedard et al.: Col 4, Lines 10-21) and the corresponding channels that have been bookmarked are "highlighted" [30/31] with a checkmark icon. The

Bedard reference further suggests that the particular method of bookmarking may be performed in other modes such as in conjunction with an EPG (Col 5, Lines 23-35). Accordingly, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the Agasse system so as to enable the bookmarking of channels such that bookmarked "channels indicators" are displayed within the "channel matrix" as being "highlighted" for the purpose of providing a means by which a viewer may quickly locate a program/channel of interest (Bedard: Col 1, Lines 33-45) in conjunction with viewing and navigating a matrix of channels.

Claim 12 is rejected as aforementioned wherein the "channel status section" [84] of Agasse "displays status information" in the form of information detailing the program title and broadcast time "on a television channel corresponding to the indicator at the position of the cursor on the matrix" (Page 8, Lines 26-32; Page 23, Lines 1-4). As previously set forth, the displayed "status information" includes "bookmarked channel information" given that the claim is not limiting such that bookmarked channel information need necessarily comprise information designating if the channel is or is not bookmarked.

Claim 13 is rejected wherein the Agasse reference discloses that the combined references "responsive to a user command" is operable to "display, relative to a selected channel number, one of the next higher or next lower bookmarked channel number from the channel number corresponding to a current cursor position" [42] (Page 21, Lines 13-15; Page 23, Lines 1-7). For example, in view of the combined references, presuming that channel 16 of Figure 5 of Agasse is a bookmarked channel and channel number 15 is initially selected, the

claimed limitations would be met in conjunction with the "user command" to navigate to the subsequent channel.

Claim 14 is rejected wherein the Bedard reference discloses that the "act of highlighting comprises . . . displaying symbols" [30/31] (Col 4, Lines 10-34).

Claims 15 and 16 are rejected wherein "all of the channels having a predetermined property" may be bookmarked via the user wherein that property "depends, at least in part, on information about the channels contained in an electronic program guide and the bookmarking of channels is modified at times corresponding to times at which changes in the property are to occur as described in the electronic program guide". It is commonly known in the art that at any given moment a particular program may comprise a unique property for all channels. For example, NBC's program "The Apprentice" is broadcast only on NBC during a particular timeslot. Accordingly, the Bedard reference implicitly discloses that the bookmarking of a particular program such as "The Apprentice" serves to "bookmark all channels having a predetermined property" or those currently broadcasting that particular program. The bookmark of a particular channel subsequently depends on information in the EPG and further changes based on changes in the property are to occur as described in the electronic program guide such that the bookmark is removed at the end of the program broadcast (Bedard: Col 4, Lines 10-21).

Claim 17 is rejected as previously set forth in the rejection of claim 11 in light of the combined references. The apparatus illustrated in Figures 1 and 2 of Agasse comprises "means for displaying" [14], "means for switching" [25/20], "means for highlighting" [25/20], "means for moving a cursor" [25/20], "means for responsive to a user command,

adding or removing a bookmark" [20], and the "means for responsive to a user command simultaneously removing multiple bookmarks" [20].

Claim 19 is rejected as set forth in claim 11 wherein the system is operable to be implemented via a "computer readable carrier including a computer program that controls a computer to implement a user interface method . . . " (Agasse: Page 29, Lines 7-17).

In consideration of claim 20, the Agasse reference, as illustrated in conjunction with Figures 4-7 illustrates a "display interface having a group of channels for tuning a television receiver" [80]. As the limitation pertaining the "channel matrix", the "display interface" [80] includes a "channel matrix having n columns and m rows for displaying a plurality of definable channels indicators for at most n x m channels, where n and m are positive integers greater than 2, each definable channel indicator corresponding to a respectively different position in the matrix, wherein the channel matrix including entries for both available and unavailable channels for one group of channels among a plurality of channel groups," (Page 1, Lines 19-27; Page 22, Lines 18-30; Page 23, Lines 19-24; Page 25, Lines 11-19).

With respect to the limitation that the "channel matrix including entries for both available and unavailable channels", the instant application discloses that unavailable channels may comprise those which are blocked due to parental control features (IA: Page 8, Lines 27-30). However, the claims do not particularly limit what an unavailable channel means. Accordingly, Agasse reference meets the limitation of "channel matrix including both available and unavailable channels" wherein unavailable channels are those channels for which the user does not have access rights either by virtue of the program being blocked due

to it being of an adult nature or blocked because the user has not purchased the program rendering the channel unavailable for subsequent access (Page 25, Lines 12-18).

The "display interface" [80] of Agasse further comprises a "channel group indicator configured to be activated to switch the channel matrix among the groups of channels to select a current group of channels" such that the selection of the left navigation arrow switches to a new group or mosaic of 20 programs of the 60 or more available channels (Agasse: Page 23, Lines 9-17). The "channel group indicator" of Agasse, however, does not "display another channel indicator of a base channel for the current group of channels" as claimed. In an analogous art pertaining to the navigation of channels within a satellite distribution system, the Harm et al. reference discloses a "channel group indicator" [810] that is "configured to be activated to switch . . . among groups of channels to select a current group of channels and to display another channel indicator of a base channel for the current group of channels" [814] such that the "base channel" corresponds to the first channel on which the display group is based (Harm et al.: Col 11, Lines 38-54). Accordingly, it would have obvious to one having ordinary skill in the art at the invention was made so as to modify the Aggasse "channel group selector" using the teachings of Harm et al. for the purpose of providing an efficient means for navigating through large numbers of channels offered through satellite television (Harm et al.: Col 2, Lines 15-36).

The "display interface" [80] of Agasse further comprises a "cursor configured to be moved to positions along the rows and columns of the matrix" [83] that further serves as a "channel selector which selects and tunes the channel corresponding to the definable channel indicator at the position of the cursor on the matrix" (Page 22, Line 31 – Page 23, Line 7),

and a "channel status section" [84] separate from the "channel matrix" that "displays status information of . . . a television channel corresponding to the channel indicator at the position of the cursor on the matrix" (Page 8, Lines 26-32; Page 23, Lines 1-4). The Agasse reference, however, does not disclose the particular limitations pertaining to the usage of "bookmarking".

With respect to the limitation that the "channel status section . . . displays status information . . . comprising bookmarked channel information", Agasse discloses that the "channel status section" [4] may comprise information regarding the program (Agasse: Page 30, Lines 30-32), but it does not particularly disclose nor preclude the nature of this information. The claims are not limiting with respect to what "bookmarked channel information and favorite channel information, separate from the bookmarked channel information" need comprise such that it is necessarily different from the status information displayed for other channels. However, the reference suggests that it is operable to facilitate the designation of favorite channels (Agasse: Page 32, Lines 6-17) and that the "channel matrix" may be "configured to be displayed with only channels" designated as favorites by virtue of these channels being sorted/grouped for display (Page 6, Lines 2-7; Page 33, Lines 5-30). As previously noted in the response to arguments, it is considered implicit to the reference that the user can designate all of the displayed channels in a given mosaic as being favorites, thereby meeting the limitation with respect to having only a certain category of channel within a given display matrix.

The Bedard reference discloses a method for the bookmarking of channels/programs which allows viewers to create lists of favorites to quickly return to at a later time (Bedard:

Col 3, Line 64 – Col 4, Line 9). Accordingly, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the Agasse system so as to enable the bookmarking of channels/programs as taught by Bedard for the purpose of providing a means by which a viewer may quickly locate a program/channel of interest (Bedard: Col 1, Lines 33-45). Accordingly, in view of the combined references, the Agasse system displays "status information comprising bookmarked channel information and favorite channel information, separate from the bookmarked channel information" wherein the "bookmarked channel information" comprises information pertaining to the time of the program being broadcast and the "favorite channel information" comprises information pertaining to the title of the program being broadcast which is displayed "separate from the bookmarked channel information" and the channel matrix is operable to be "configured to be displayed with only channels that are bookmarked" as favorites as aforementioned.

4. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agasse (WO 00/05887), in view of Harms et al. (US Pat No. 6,057,831), in view of Bedard (US Pat No. 5,805,235), and in further view of Handelman (US Pat No. 6,654,721).

In consideration of claim 8, the combined references do not explicitly disclose nor preclude that the system may further facilitate navigation within the program guide matrix utilizing a "voice recognition system". The Handelman reference discloses a "voice recognition system" [50] that "recognizes voiced direction commands to move the cursor along the rows and columns" of a program guide matrix and further "recognizes a voiced selection command to act as the channel selector" (Col 12, Lines 28-67; Col 14, Lines 14-51). Accordingly, it would have been obvious to one having ordinary skill in the art at the

time of the invention to modify the combined teachings so as to utilize the "voice recognition system" of Handelman for the purposes of advantageously providing a voice activation device and method for operating various program guide functions in a television system (Handelman et al.: Col 2, Lines 21-24).

Claims 9 and 10 recite similar limitations as those set forth in claims 6 and 7 with the exception being the particular usage of voice recognition commands. The combined references do not explicitly disclose nor preclude the particular usage of voice commands in order to facilitate the designation of bookmarks or navigation to bookmarked channels. The Handelman reference discloses the usage of voice recognition in order to facilitate typically entered remote control commands. Accordingly, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the combined teachings so as to utilize the "voice recognition system" of Handelman in order to facilitate the designation of bookmarks or navigation to bookmarked channels for the purposes of advantageously providing a voice activation device and method for operating various program guide functions in a television system (Handelman et al.: Col 2, Lines 21-24).

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Agasse (WO 00/05887), in view of Harms et al. (US Pat No. 6,057,831), in view of Bedard (US Pat No. 5,805,235), and in further view of applicant's admitted prior art.

In consideration of claim 18, the Agasse reference while disclosing the particular usage of the MPEG2 receiver does not explicitly disclose nor preclude that the received signals may correspond to a "first and second configurations". The applicant's admitted prior art discloses that it is known in the art to distribute multiple programs in an individual channel

that which include up to 10 minor channels (IA: Page 1, Line 5 – Page 2, Line 12). Accordingly, it would have been obvious to one having ordinary skill in the art to utilize sub-channels in conjunction with the distribution of programming for the purpose of allowing broadcasters to take advantage of the ability to distribute several additional channels of information which previously occupied by a single analog television channel. In light of such a modification, the "channels corresponding to the indicators in the matrix" of Agasse would support a "first and second configuration". For example, channel 12 may comprise both a "first configuration" or channel 12-1 and a "second configuration" or channel 12-2. Given the independent nature of the channel content, one would conclude that they would be displayed separately in the matrix and would be independently selectable in a manner similar to that of illustrated non-multiprogram channel system. Accordingly, given that the Bedard bookmarking is specific to programs/channels, the combined teachings would therefore suggest that the system would further include the "means for modifying the channel indicators corresponding to the channels having the first configuration and not modifying the channel indicators corresponding to channels having the second configuration" for the purpose of enabling a viewer to independently designate both channels and programming of interest in a manner similar to that performed in conjunction with the single program channel teachings.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows. Applicant is reminded that in amending in response to a rejection of

claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made.

- The Lett et al. (US Pat No. 5,592,551) reference discloses a means for enabling a viewer to remove/delete all previously set favorite channels for the purpose of allowing the user to "start over" in selecting favorite channels (Figures 11 and 12).
- The Knudson et al. (US Pub No. 2005/0204387 A1) reference discloses a means for enabling a user to delete all favorite channels (Figure 39).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 571-272-7343. The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott Beliveau
Examiner
Art Unit 2614

SEB
November 2, 2005

JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600